

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Hiroyuki OSADA et al.

Application No. 10/516,743

Confirmation No. 6909

Filed: May 26, 2005

Art Unit: 1626

For: NOVEL COMPOUND HAVING ANTITUMOR  
ACTIVITY AND PROCESS FOR PRODUCING  
THE SAME

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Examiner: S. L. Chung

**REQUEST FOR REFUND**  
**(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

MS 16  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Madam:

On April 9, 2008, Applicants submitted a Request for Refund in connection with the above-referenced application.

Applicants note that this request appears in the record on PAIR; however, no refund was ever accorded or applied to Deposit Account No. 02-2448.

In reviewing the Request submitted, Applicants noted a typographical error on page 2 of the Request. In the event that this typographical error is the reason that no refund has been applied, Applicants submit a *Replacement* Request in which the typographical error has been corrected. That is, the amount to be refunded is **\$1,640.00**.

In view of the above, Applicants ask for expedited handling of this Request and request a prompt refund to be applied to Deposit Account No. 02-2448.

## I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 02-2448 shown on the statement for the month of 04-2008 for the above-identified

☒ application ☐ patent

☐ A copy of the monthly statement in which the error referred to occurs, accompanies this request.

## II. FEES CHARGED FOR WHICH REFUND REQUESTED

AMOUNT OF  
REFUND  
REQUESTED

☐ filing fee \_\_\_\_\_

☐ search fee \_\_\_\_\_

☐ examination fee \_\_\_\_\_

☐ surcharge for filing the basic filing  
on a date later than the filing date of  
the application (37 C.F.R. § 1.16(e)) \_\_\_\_\_

and/or

☐ surcharge for filing the oath or declaration  
on a date later than the filing date of the  
application (37 C.F.R. § 1.16(e)) \_\_\_\_\_

☒ extension of term

☐ first month \_\_\_\_\_

☐ second month \_\_\_\_\_

<input type="checkbox"/> third month	_____
<input checked="" type="checkbox"/> fourth month	<b><u>\$1,640.00</u></b>
<input type="checkbox"/> excess claims	_____
<input type="checkbox"/> issue fee	_____
<input type="checkbox"/> petition fee	_____
<input type="checkbox"/> patent maintenance fee	_____
<input type="checkbox"/> first maintenance fee	_____
<input type="checkbox"/> second maintenance fee	_____
<input type="checkbox"/> third maintenance fee	_____
<input type="checkbox"/> patent maintenance fee surcharge	_____
<input type="checkbox"/> Other:	_____
	_____
	_____
TOTAL REFUND REQUESTED	<b><u>\$1,640.00</u></b>

## III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

The application was improperly held in a clerical processing step after a second Amendment was filed on October 10, 2007 and the clerk did not timely authorize the release of the application to the Examiner. The application was improperly kept off the

Examiner's docket and the applicant paid the extension of time fees on April 10, 2008 to keep the application on the docket.

IV. MANNER OF REFUND

Please make refund by crediting Account No. 02-2448.

We respectfully request that the attached copy of this letter be returned to us with an indication that the credit has been processed.

Dated: July 10, 2009

Respectfully submitted,

By

Mark J. Nuell

Registration No. 36,623

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